

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) **8:08CR17**
)
MARCUS D. LAWSON,) **ORDER**
)
Defendant.)

This matter is before the court on the government's motion to continue trial (Doc. [38](#)). For good cause shown, and upon the representation that defense counsel does not object, the court finds that the motion should be granted.

IT IS ORDERED that the motion is granted, as follows:

1. The jury trial now set for September 23, 2008, is continued to **Tuesday, October 7, 2008**.
2. In accordance with [18 U.S.C. § 3161](#)(h)(8)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **September 23, 2008 and October 7, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act due to counsel's scheduling conflict. Counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED September 4, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge